

1 Rene L. Valladares
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 *S. Alex Spelman
5 Assistant Federal Public Defender
6 Nevada State Bar No. 14278
7 411 E. Bonneville Ave., Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577
10 Alex_Spelman@fd.org

11 *Attorney for Petitioner Sherri Lynne Love

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 Sherri Lynne Love,

15 Petitioner,

16 v.

17 State of Nevada, et al.,

18 Respondents.

ORDER

Case No. 2:17-cv-02419-JAD-PAL

**Joint Status Report and
Stipulation to extend time to file
the first amended petition**

**(Third stipulation)
(Eighth request for extension)**

19 The parties hereby provide this Court with a joint status report, per ECF No.
20 20, regarding the status of ongoing negotiations between Ms. Love and the Clark
21 County District Attorney's Office, on behalf of the State of Nevada, which appears
22 likely to result in an alternative global resolution of this case. Further, the parties
23 hereby stipulate to another 60-day extension of time for Ms. Love to file her first
24 amended petition or other related pleading, up to and including March 11, 2019.
25
26
27

1 The parties' first and second stipulations indicated, according to Ms. Love's
2 counsel, that there are ongoing negotiations between Ms. Love and the Clark
3 County District Attorney's office, on behalf of the State of Nevada, to globally
4 resolve this case. Ms. Love's counsel represented that her first amended petition is
5 complete, however, she agreed to withhold filing the petition—with this Court's
6 permission—unless and until negotiations fail to resolve the case.

7 The court approved the parties' stipulations, which provided for extensions of
8 the deadline for Ms. Love to file her first amended petition or to file a status update
9 to the court in the event that the extensions prove insufficient to complete the
10 alternative-resolution process. The current deadline is January 10, 2019.

11 Since this court's last order approving the stipulation, the Ms. Love and the
12 State have continued to negotiate. There have been repeated contacts between Ms.
13 Love's counsel and the State during this time. A global resolution of this matter has
14 progressed and is likely.¹

15 Ms. Love's counsel represents that another extension is needed to allow the
16 finalization of a written agreement and for this matter to be calendared in the state
17 court for approval and finalization. Ms. Love's counsel believes that 60 days would
18 likely be sufficient to complete the alternative-resolution process, including
19 appearing in state court to finalize the agreement and render it legally binding on
20 all parties. As before, if 60 days proves insufficient time, the parties will provide
21 this court with a joint status report on the progress of negotiations. Alternatively, if
22 negotiations cease without a resolution of this matter, Ms. Love's counsel will
23 promptly file the amended petition.

24
25
26 ¹ If this court would require further information regarding the timeline and
27 status of the negotiations, Ms. Love's counsel would request this court set a closed
status hearing, as the details of the negotiations are not currently public information.

1 Respondents stipulate to this extension based on the representations of Ms.
2 Love's counsel, though the parties agree that this stipulation does not waive any
3 procedural defenses or statute-of-limitations challenges that respondents may raise
4 in this case. The parties also agree that this stipulation does not constitute
5 respondents' agreement with any of Ms. Love's representations in this or any other
6 court filing.

7 Therefore, if this court approves this stipulation, the deadline for Ms. Love to
8 file her first amended petition, or for the parties to provide this Court with a status
9 report, is extended up to and including Monday, March 11, 2019. If negotiations
10 terminate without agreement, Ms. Love will promptly file her amended petition,
11 without delay.

12
13 Dated January 10, 2019.

14 Respectfully submitted,


15 RENE L. VALLADARES
16 Federal Public Defender

ADAM PAUL LAXALT
Attorney General

17 /s/ S. Alex Spelman
18 S. Alex Spelman (Bar No. 14278)
19 Assistant Federal Public Defender
20 For Petitioner

/s/ Amanda C. Sage
Amanda C. Sage (Bar No. 13429)
Deputy Attorney General
For Respondents

21 IT IS SO ORDERED:
22
23

24 
United States District Judge
25 Dated: January 11, 2019.
26
27